
Introduced by Senator Aanestad

February 21, 2003

An act to amend Section 1635.5 of the Business and Professions Code, relating to dentistry.

LEGISLATIVE COUNSEL'S DIGEST

SB 928, as introduced, Aanestad. Dentistry licensure.

Existing law, the Dental Practice Act, authorizes the Dental Board of California to issue a license to a person who is currently licensed to practice dentistry in another state if the person satisfies other requirements, including proof that the applicant has been in clinical practice or a faculty member for a specified time.

This bill would require an out-of-state applicant, including a faculty member, to provide proof that he or she has been in active clinical practice for that time. The bill would also require an applicant to provide proof of the applicant's skills and judgment in specified areas.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1635.5 of the Business and Professions
- 2 Code is amended to read:
- 3 1635.5. (a) Notwithstanding Section 1634, the board may
- 4 grant a license to practice dentistry to an applicant who has not
- 5 taken an examination before the board, if the applicant submits all
- 6 of the following to the board:
- 7 (1) A completed application form and all fees required by the
- 8 board.

1 (2) Proof of a current license issued by another state to practice
2 dentistry that is not revoked or suspended or otherwise restricted.

3 (3) Proof that the applicant has *either* been in *active* clinical
4 practice, or has been a full-time faculty member in an accredited
5 dental education program *and in active clinical practice under a*
6 *license or special permit to practice*, for a minimum of 1,000 hours
7 per year for at least five years preceding the date of his or her
8 application under this section. The clinical practice requirement
9 shall be deemed met if documentation of any of the following is
10 submitted:

11 (A) The applicant may receive credit for two of the five years
12 of clinical practice by demonstrating completion of a residency
13 training program accredited by the American Dental Association
14 Commission on Dental Accreditation, including, but not limited
15 to, a general practice residency, an advanced education in general
16 dentistry program, or a training program in a specialty recognized
17 by the American Dental Association.

18 (B) If an applicant provides proof of at least two years of
19 clinical practice or receives two years of credit as defined in
20 subparagraph (A), he or she may commit to completing the
21 remainder of the five-year requirement by filing with the board a
22 copy of a pending contract to practice dentistry full time in a
23 primary care clinic licensed under subdivision (a) of Section 1204
24 of the Health and Safety Code or in a primary care clinic exempt
25 from licensure pursuant to subdivision (c) of Section 1206 of the
26 Health and Safety Code, or in a clinic owned or operated by a
27 public hospital or health system, or a clinic owned and operated by
28 a hospital that maintains the primary contract with a county
29 government to fill the county's role under Section 17000 of the
30 Welfare and Institutions Code. The board may periodically request
31 verification of compliance with these requirements, and may
32 revoke the license upon a finding that the employment
33 requirement, or any other requirement of this subparagraph, has
34 not been met.

35 (C) If an applicant provides proof of at least two years of
36 clinical practice or receives two years of credit as defined in
37 subparagraph (A), he or she may commit to completing the
38 remainder of the five-year requirement by filing with the board a
39 copy of a pending contract to teach or practice dentistry full time
40 in an accredited dental education program as approved by the



Dental Board of California. The board may periodically request verification of compliance with these requirements, and may revoke the license upon a finding that the employment requirement, or any other requirement of this subparagraph, has not been met.

(4) Proof that the applicant has not been subject to disciplinary action by any state in which he or she is or has been previously licensed to practice dentistry. If the applicant has been subject to disciplinary action, the board shall review that action to determine if it warrants refusal to issue a license to the applicant.

(5) A signed release allowing the disclosure of information from the National Practitioner Data Bank and the verification of registration status with the federal Drug Enforcement Administration. The board shall review this information to determine if it warrants refusal to issue a license to the applicant.

(6) *Proof that the applicant has successfully completed all of the following:*

(A) *A clinical demonstration of his or her skills in operative dentistry, prosthetic dentistry, and diagnosis and treatment in periodontics.*

(B) *A written demonstration of his or her judgement in diagnosis-treatment planning, prosthetic dentistry, and endodontics.*

(7) Proof that the applicant has not failed the examination for licensure to practice dentistry under this chapter within five years prior to the date of his or her application for a license under this section.

~~(7)~~

(8) Documentation of 50 units of continuing education completed within two years of the date of his or her application under this section. The continuing education shall include the mandatory coursework prescribed by the board pursuant to subdivision (b) of Section 1645.

~~(8)~~

(9) Any other information as specified by the board to the extent it is required of applicants for licensure by examination under this article.

(b) The board shall provide in the application packet to each out-of-state dentist pursuant to this section the following information:

1 (1) The location of dental manpower shortage areas that exist
2 in the state.

3 (2) Those not-for-profit clinics and public hospitals seeking to
4 contract with licensees for dental services.

5 (c) (1) The board shall review the impact of this section on the
6 availability of dentists in California and report to the appropriate
7 policy and fiscal committees of the Legislature by January 1, 2005.
8 The report shall include a separate section providing data specific
9 to those dentists who intend to fulfill the alternative clinical
10 practice requirements of subparagraph (B) of paragraph (3) of
11 subdivision (a). The report shall include, but not be limited to, all
12 of the following:

13 (A) The total number of applicants from other states who have
14 sought licensure.

15 (B) The number of dentists from other states licensed pursuant
16 to this section, as well as the number of licenses not granted and
17 the reasons why each license was not granted.

18 (C) The location of the practice of dentists licensed pursuant to
19 this section.

20 (D) The number of dentists licensed pursuant to this section
21 who establish a practice in a rural area or in an area designated as
22 having a shortage of practicing dentists or no dentists at all.

23 (E) The length of time dentists licensed pursuant to this section
24 maintained their practice in the reported location. This
25 information shall be reported separately for dentists described in
26 subparagraphs (C) and (D).

27 (2) In identifying a dentist's location of practice, the board shall
28 use Medical Service Study Areas or other appropriate geographic
29 descriptions for regions of the state.

30 (3) If appropriate, the board may report the information
31 required by paragraph (1) separately for primary care dentists and
32 specialists.

33 (d) This section shall become operative on July 1, 2002.